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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
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11 PATRICE C. BOURDEAU,

12 Plaintiff(s),

13 v.

14 NANCY A. BERRYHILL,

15 Defendant(s).

Case No.: 2:18-cv-00927-JAD-NJK

Order

[Docket No. 1]

16 Plaintiff has requested authority pursuant to 28 U.S.C. § 1915 to proceed *in forma pauperis*
17 (Docket No. 1), and has submitted a Complaint (Docket No. 1-1).

18 **I. Application to Proceed *In Forma Pauperis***

19 Plaintiff filed an application to proceed *in forma pauperis*. Docket No. 1. The application
20 has sufficiently shown an inability to prepay fees and costs or give security for them. Accordingly,
21 the application to proceed *in forma pauperis* will be granted pursuant to § 1915. The Court will
22 now review Plaintiff's complaint.

23 **II. Screening the Complaint**

24 When a party seeks permission to pursue a civil case *in forma pauperis*, courts will screen
25 the complaint. *See* 28 U.S.C. § 1915(e). With respect to social security appeals specifically, judges
26 in this District have outlined some basic requirements for complaints to satisfy the Court's
27 screening. First, the complaint must establish that administrative remedies were exhausted
28 pursuant to 42 U.S.C. § 405(g), and that the civil action was commenced within 60 days after

1 notice of a final decision. Second, the complaint must indicate the judicial district in which the
2 plaintiff resides. Third, the complaint must state the nature of the plaintiff's disability and when
3 the plaintiff claims to have become disabled. Fourth, the complaint must contain a plain, short,
4 and concise statement identifying the nature of the plaintiff's disagreement with the determination
5 made by the Social Security Administration and show that the plaintiff is entitled to relief. *See,*
6 *e.g., Graves v. Colvin*, 2015 WL 357121, *2 (D. Nev. Jan. 26, 2015) (collecting cases).

7 In this case, Plaintiff's complaint fails to identify the nature of her disability, the alleged
8 onset date for that disability, or the reasons why Plaintiff believes the adverse decision was in
9 error.

10 **III. Conclusion**

11 Accordingly, the Court hereby **ORDERS** as follows:

- 12 1. Plaintiff's request to proceed *in forma pauperis* is **GRANTED** with the caveat that the
13 fees shall be paid if recovery is made. At this time, Plaintiff shall not be required to
14 pre-pay the filing fee.
- 15 2. Plaintiff is permitted to maintain this action to conclusion without the necessity of
16 prepayment of any additional fees or costs or the giving of a security therefor. The
17 Order granting leave to proceed *in forma pauperis* shall not extend to the issuance of
18 subpoenas at government expense.
- 19 3. The complaint is **DISMISSED** with leave to amend. Plaintiff will have until **June 6,**
20 **2018**, to file an Amended Complaint, if Plaintiff believes the noted deficiencies can be
21 corrected.

22 IT IS SO ORDERED.

23 Dated: May 23, 2018

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26 Nancy J. Koppe
27 United States Magistrate Judge
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